

1 REMARKS

2 Status of the Claims

3 Claims 1-44 are pending in the present application, with Claims 1, 22, 26, 32, 35, and 38,  
4 having been amended to more clearly recite that the subject matter is directed toward a concrete,  
5 useful and tangible result, and Claims 36 and 40 having been amended to correct typographical  
6 errors.

7 Summary of Telephone Interview with Examiner

8 On December 7, 2007, applicants' attorney (Sabrina MacIntyre, Registration No. 56,912)  
9 conducted a brief telephone interview to discuss the current Office Action with Examiner Clow and to  
10 discuss the proposed amendments to all of the independent claims, that were submitted prior to the  
11 interview.

12 The Examiner had noted on page 4 of the Office Action that if the claim merely "stores indications,"  
13 the claim is not statutory, because storing could be performed within the confines of a computer and the  
14 results never made accessible to a user. In this case, the Examiner further indicated in the Office Action that  
15 the claim does not meet the criteria of producing a concrete, tangible, and useful result.

16 Therefore, these proposed amendments clarify that the indications that are being stored are indeed  
17 made available for later use by a user. The Examiner agreed that these amendments appear to overcome the  
18 35 U.S.C. § 101 rejection, because it is now clear that a user can access the indications. The Examiner also  
19 explained that a final search would have to be performed to attempt to find any art that may have been  
20 published since the last search.

21 Applicants' attorney would like to again thank the Examiner for her time and willingness to discuss  
22 these issues during the Telephone Interview.

23 Claims Rejected Under 35 U.S.C. § 101

24 The Examiner had rejected Claims 1-44 under 35 U.S.C. § 101 as being directed to non-  
25 statutory subject matter. However, as explained in the interview summary above, The Examiner  
26 indicated that the proposed amendments are sufficient to overcome this rejection.

27 Respectfully submitted,

28 /s/sabrina k. macintyre/  
29 Sabrina K. MacIntyre  
30 Registration No. 56,912

SKM/RMA:bmd